

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

FRANK CAPOZZI

Plaintiff,
v.

NORTHAMPTON COUNTY, et al.

Defendants.

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: CIVIL ACTION
: NO. 08-cv-1480
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ORDER

AND NOW, this 3rd day of September, 2009, upon consideration of the Motion to Dismiss the Complaint filed by Defendants PrimeCare Medical, Inc., Todd Haskins and Amelia Caputo (Docket No. 12) and a second Motion to Dismiss the Complaint filed by Defendants Todd Buskirk and Northampton County Department of Corrections (Docket No. 18), to which Motions Plaintiff Frank Capozzi has not filed a response, and after an independent review of the allegations in the Complaint (Docket No. 1), it is ORDERED as follows:

1. The Motions to Dismiss (Docket Nos. 12 and 18) are GRANTED.
2. Defendants PrimeCare Medical, Todd Haskins, Amelia Caputo, Todd Buskirk and Northampton County Department of Corrections shall be terminated as parties.
3. The case shall remain open as to Defendant Dr. Sprague.
4. Plaintiff shall have thirty days from the date of this order to show cause as to why the Complaint filed against Defendant Dr. Sprague should not be dismissed, and the action closed, for lack of prosecution.

BY THE COURT:

/s/ Joel H. Slomsky, J.
JOEL H. SLOMSKY, J.